

## Exhibit 2

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STEVE SANDS

Plaintiff,

- against -

CBS INTERACTIVE, INC.

Defendant.

Case No. 1:18-cv-07345 (JSR)

**PLAINTIFF STEVE SANDS' SUPERSEDING ANSWERS AND  
OBJECTIONS TO DEFENDANT'S FIRST SET OF INTERROGATORIES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Plaintiff Steve Sands ("Plaintiff"), by its counsel, Liebowitz Law Firm, PLLC, and in response to Defendant's claims of deficiencies with respect to plaintiff's preceding set of answers and objections, hereby serves his superseding answers and objections to Defendant CBS Interactive Inc.'s First Set of Interrogatories [Nos. 1-12] (the "Interrogatories," and each individually, a "Interrogatory") as follows:

**GENERAL OBJECTIONS**

Plaintiff makes the following General Objections to the Interrogatories. These General Objections apply to each of the Interrogatories, set forth immediately below, and are incorporated therein by reference. The Specific Objections, even if the same or similar, do not waive the General Objections. Answering any Specific Interrogatory shall not be construed as an admission that the Defendant is entitled to any response more specific than provided:

1. Plaintiff objects to Instructions, Definitions, and Interrogatories that impose duties or obligations beyond, or inconsistent with, those set forth in Local Rules and the Federal Rules.

2. Plaintiff objects to the extent the Interrogatories seek information outside the scope of this proceeding. To the extent that the information sought is not relevant nor proportional to the needs of the case, the Plaintiff objects. Similarly, if the interrogatory is vague, ambiguous, the Plaintiff objects.

3. Plaintiff objects to Interrogatories to the extent they seek information that is not within Plaintiff's possession, custody or control.

4. Plaintiff objects to the extent the information sought is already in Defendant's, or third party's possession, custody or control, or is publicly available.

5. Plaintiff objects to the extent the information is duplicative or redundant and the burden of deriving and ascertaining the answers is the same or similar for the Defendant as for the Plaintiff.

6. Plaintiff objects to the extent information sought is protected by attorney-client privilege, work-product doctrine. Inadvertent disclosure thereof will not waive the privilege or similar protection from discovery.

7. Plaintiff objects to the extent the information sought is subject to confidentiality duty to a non-party.

8. Plaintiff objects to the extent information sought assumes disputed facts and legal conclusions.

9. In answering, the Plaintiff does not waive and expressly reserves all objections.

10. The answers are based on Plaintiff's current knowledge and best efforts to secure the information sought. Plaintiff reserves the right to supplement the information.

### **SPECIFIC ANSWERS AND OBJECTIONS**

Interrogatory No. 1. *Identify all Documents and Communications, and custodians thereof, that You intend to use in support of Your Claim, including all Documents relating to elements of Your Claim*

**Answer to Interrogatory No. 1:** Documents showing the photographs at issue, copyright registration materials, licensing-related documentation, Defendant's past history of being sued for copyright infringement, Defendant's size, wealth and sophistication. Known persons or entities who are custodians include Plaintiff, the U.S. Copyright Office, and Wire Image (via Getty Images).

Interrogatory No. 2. *Identify each Person (whether or not associated with You) who has, claims to have, or whom You believe may have knowledge, information, and/or access to Documents or Communications concerning, regarding, referring to, or relating to the creation of the Photographs.*

**Answer to Interrogatory No. 2:** Plaintiff.

Interrogatory No. 3. *Identify each Person (whether or not associated with You) who has, claims to have, or whom You believe may have knowledge, information, and/or access to Documents or Communications concerning, regarding, referring to, or relating to the ownership of the copyright rights in and to the Photographs.*

**Answer to Interrogatory No. 3:** Plaintiff, Plaintiff's counsel.

Interrogatory No. 4: *Identify each Person (whether or not associated with You) who has, claims to have, or whom You believe may have knowledge, information, and/or access to Documents or Communications concerning, regarding, referring to, or relating to Your discovery and/or first awareness that the Photographs were being used by CBS Interactive.*

**Response to Interrogatory No. 4:** Plaintiff, Plaintiff's counsel.

*Interrogatory No. 5: Identify each Person (whether or not associated with You) who has, claims to have, or whom You believe may have knowledge, information, and/or access to Documents or Communications concerning, regarding, referring to, or relating to any uses of the Photographs by any Person, whether authorized or unauthorized, and all Documents and Communications relating to such use.*

**Response to Interrogatory No. 5:** Plaintiff, Plaintiff's counsel, the U.S. Copyright Office, Wire Image (via Getty Images).

*Interrogatory No. 6: Identify each Person (whether or not associated with You) who has, claims to have, or whom You believe may have knowledge, information, and/or access to Documents or Communications concerning, regarding, or relating to the total amount of revenue that You have derived from the Photographs, including, but not limited to, revenue derived from the sale or license of the Photographs.*

**Response to Interrogatory No. 6:** Plaintiff, Wire Image (via Getty Images).

*Interrogatory No. 7: Identify each Person (whether or not associated with You) who has, claims to have, or whom You believe may have knowledge, information, and/or access to Documents or Communications concerning, regarding, referring to, or relating to settlement agreements between You and any Person relating to any photographs taken by You.*

**Response to Interrogatory No. 7:** Plaintiff objects to Interrogatory No. 7 on grounds that it seeks information wholly irrelevant to the claims or defenses in this action, disproportionate to the needs of the case and which is not reasonably calculated to lead to admissible evidence at trial. Accordingly, no further response is required.

*Interrogatory No. 8: Identify any damages suffered by You by reason of CBS Interactive's alleged actions as set forth in the Complaint, including by way of lost revenues and/or profits, and Your computation thereof.*

**Response to Interrogatory No. 8**

Category	Amount
Actual Damages	Estimated fair market value of each Photograph: \$1,500-\$2,500
Infringer's Profits	Unknown at this time because such information is in the exclusive possession of Defendant
Statutory Damages	\$30,000 civil penalty per Photograph.

Interrogatory No. 9: *Identify each Person who undertakes or has previously undertaken any type of investigation to discover potential infringements of your photographs on Your behalf*

**Response to Interrogatory No. 9.** Plaintiff's counsel.

Interrogatory No. 10: *Identify all Persons who were licensed or permitted by You to use any of Your photographs comparable in style and quality to the Photographs.*

**Response to Interrogatory No. 10.** People Magazine, Us Weekly, In Touch Weekly, New York Daily News, Wire Image (via Getty Images), Agence Starface, Matrix Pictures Agency.

Interrogatory No. 11: *Identify each Person who had more than a clerical role in answering and/or searching for Documents in connection with these Interrogatories.*

**Response to Interrogatory No. 11.** Plaintiff, Plaintiff's counsel.

Interrogatory No. 12: *Identify each Person (whether or not associated with You) who has, claims to have, or whom You believe may have physical evidence, including, by way of example and without limitation, computers, laptops, mobile devices, and servers, concerning or relating to Your Claims and/or the allegations in the Complaint.*

**Response to Interrogatory No. 12:** Plaintiff, Plaintiff's counsel, the U.S. Copyright Office, and Wire Image (via Getty Images).

Dated: November 20, 2018

LIEBOWITZ LAW FIRM, PLLC

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STEVE SANDS

Plaintiff,

- against -

CBS INTERACTIVE, INC.

Defendant.

Case No. 1:18-cv-07345 (JSR)

**VERIFICATION**

I, Steve Sands, the plaintiff in this action, hereby certify that I have read my superseding answers and objections to Defendant CBS Interactive, Inc.'s first set of interrogatories, dated November 20, 2018, and know the contents thereof, and the same are true to my knowledge, information and belief based on reasonable inquiry.

I verify under penalty of perjury that the foregoing is true and correct.

New York, New York

Dated: November 21, 2018



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Steve Sands



**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that a true and correct copy of the foregoing PLAINTIFF STEVE SANDS' SUPERSEDING ANSWERS AND OBJECTIONS TO DEFENDANT'S FIRST SET OF INTERROGATORIES has been served via e-mail and first class mail on November 26, 2018 to counsel listed below.

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*Attorneys for Defendant CBS Interactive, Inc*

Dated: November 26, 2018

By: /jameshfreeman/  
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